This negotiated settlement has been entered by agreement between Dr. Charles Robert Pipes, the Executive Director of the Texas State Board of Veterinary Medical Examiners, and in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement, the defendant, Dr. Pipes, will be granted a continuance at his option.

Dr. Pipes does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that (1) the Board may treat the allegations of fact and law as true and (2) the findings shall have the same force and effect as if evidence and argument were presented in support of the allegations. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

SUMMARY OF CHARGES:

By failing to detect and diagnose a bladder stone, that was visible in the x-ray taken by him, Dr. Pipes did not exercise the same degree of humane care, skill, and diligence as are ordinarily used in the same or similar circumstances by average members of the veterinary medical profession, in violation of Rule of Professional Conduct 573.22 and 14(a) (5) of the Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT.

RECOMMENDED DISCIPLINARY ACTION:

Official Reprimand.

Charles Robert Pipes, D.V.M.

RON ALLEN, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
The foregoing Agreed Settlement, entered into between Dr. Charles R. Pipes, the Board Secretary, and the Board Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 8th day of February, 1995, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Finding and Order issued.

Executed this the 8th day of February, 1995.

Alton F. Hopkins, Jr., D.V.M., President

John A. Wood, D.V.M., Vice-President

James N. Gomez, D.V.M., Secretary

Robert I. Hughes, Jr., D.V.M., Member

Sharon O. Matthews, Member

Michael J. McCulloch, D.V.M.

Joyce G. Schiff, Member

Guy A. Shippard, D.V.M., Member

Clark S. Willingham, Member
DOCKETED COMPLAINT NO. 1995-10

TEXAS STATE BOARD OF VETERINARY § TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS § LICENSE NO. 4361
VS. § 1994 RENEWAL CERTIFICATE
Charles Robert Pipes, D.V.M. § NUMBER 0714

COMPLAINT AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Matthew Wendel, who after being duly sworn, did depose and say:

On or about July 8, 1994, Matthew Wendel, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one Charles Robert Pipes, D.V.M., 6210 Chelsea Way, Garland, Texas, 75044, Veterinary License Number 4361, 1994 Renewal Certificate Number 0714, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Matthew Wendel, do hereby present the following complaint against Charles Robert Pipes, D. V. M.

I.

On or about February 3, 1994, K. Elaine Wall presented "Melanie", her three and 1/2 year old longhaired Dachshund, to Dr. Charles Robert Pipes, who examined the dog and found rear end paralysis, hypertonic rear leg reflexes, and a small degree of deep pain and toe pinch reflexes.
II.
On or about February 4, 1994, a myelogram was performed and revealed a possible ruptured disc at the T-L junction. A hemi-laminectomy was performed from T-12 to L-2 and a large amount of herniated disc material was removed from the area by Bruce Turner, D.V.M.

III.
On or about February 14, 1994, "Melanie" died. Necropsy report revealed a small bladder stone that went undetected by Dr. Pipes.

IV.
By failing to detect and diagnose a bladder stone, that was visible in the x-ray taken by him, Dr. Pipes did not exercise the same degree of humane care, skill, and diligence in treating "Melanie" as are ordinarily used in the same or similar circumstance by average members of the veterinary medical profession, in violation of Rule of Professional Conduct 573.22.

V.
By violating Rule of Professional Conduct 573.22, Dr. Pipes violated Section 14 (a) (5) of the Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Pipes' Veterinary License under the Texas Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT. (formerly Article 7465a) Section 14 which states in part:

ARTICLE 8890, SECTION 14

(a) "... the Board may revoke or suspend a license, impose a civil penalty, place a
person whose license has been suspended on probation, or reprimand a licensee . . if it finds that a licensee:

(5) has engaged in practices or conduct in connection with the practice of veterinary medicine which are violative of the standards of professional conduct as duly promulgated by the Board in accordance with law;

ARTICLE 8890, SECTION 14B

(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 29th day of November, 1994.

Further, Affiant sayeth not.

Matthew Wendel, Affiant

SUBSCRIBED and SWORN TO before me by the said Matthew Wendel this the 29th day of November, 1994.

Joseph J. Rizzo, Notary Public in and for Texas
The foregoing Complaint is hereby filed and docketed with the Texas State Board of Veterinary Medical Examiners and styled Texas State Board of Veterinary Medical Examiners vs. Charles Robert Pipes, D.V.M. under Docketed Number 1995-10, this the 30 day of November, 1994.

James N. Gomez, D.V.M., Board Secretary
Texas Board of Veterinary Medical Examiners